

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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|-------------------------------|---|---------------------------------|
| ISSA G. ZIADEH, | : | CIVIL NO: 1:19-CV-01623 |
| | : | |
| Plaintiff, | : | |
| | : | (Judge Kane) |
| v. | : | |
| | : | (Chief Magistrate Judge Schwab) |
| | : | |
| COMENITY BANK, <i>et al</i> , | : | |
| | : | |
| Defendants. | : | |

ORDER

January 22, 2020

On September 19, 2019, the plaintiff, Issa G. Ziadeh (“Ziadeh”), filed a complaint in which he named Farukh Bhutta (“Bhutta”) as one of the defendants. *See doc. 1 ¶ 8.* Under Rule 4 of the Federal Rules of Civil Procedure, Ziadeh was required to serve Bhutta within 90 days of filing the complaint. Nothing in the record, however, indicates that Ziadeh has served Bhutta as required by Rule 4.

Under Rule 4(m), “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). “But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” *Id.* **IT IS THEREFORE ORDERED** that on or before **February 21, 2020**, Ziadeh shall show cause, if there is any, for his

failure to serve Bhutta with a copy of the complaint. Should Ziadeh fail to show good cause for his failure to serve Bhutta, the undersigned shall recommend that all claims against Bhutta be dismissed under Rule 4(m).

S/Susan E. Schwab

Susan E. Schwab

Chief United States Magistrate Judge